



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/575,330	FIRST NAMED APPLICANT Barry Messer	ATTY. DOCKET NO. 100325.0233US
INTERNATIONAL APPLICATION NO. PCT/US04/21468		
I.A. FILING DATE 07/01/2004		PRIORITY DATE 10/17/2003

24392  
FISH & ASSOCIATES, PC  
ROBERT D. FISH  
2603 Main Street  
Suite 1050  
Irvine, CA 92614-6232

**RECEIVED**

**CONFIRMATION NO. 3621**  
**371 FORMALITIES LETTER**



Date Mailed: 02/14/2008

FISH &amp; ASSOCIATES, PC

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 04/10/2006
- Copy of the International Search Report filed on 04/10/2006
- Information Disclosure Statements filed on 11/14/2006
- Oath or Declaration filed on 11/20/2007
- Request for Immediate Examination filed on 04/10/2006
- U.S. Basic National Fees filed on 01/10/2007
- Priority Documents filed on 04/10/2006

Applicant's response filed 11/20/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION OF MISSING REQUIREMENTS mailed 09/12/2007 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The 2nd inventor's name is different on the declaration than on the international application. Please clarify. Also, where individual declarations are excused, they must be submitted as individual declarations rather than combined into one declaration.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

JOHN L ANDERSON

---

Telephone: (703) 308-9140 EXT 211